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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 ROBERT J MADDAUS,

11 Petitioner,

12 v.

13 RON HAYNES,

14 Respondent.

CASE NO. 3:17-cv-06020-RBL-JRC

ORDER SUBSTITUTING  
RESPONDENT AND FOR SERVICE  
AND ANSWER, § 2254 PETITION

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16 This is a federal habeas action filed under 28 U.S.C. § 2254. Petitioner is currently  
17 incarcerated at the Clallam Bay Corrections Center and is subject to the Court's Electronic E-  
18 Filing Program pursuant to General Orders 02-15 and 06-16. The Court, having reviewed  
19 petitioner's federal habeas petition, hereby finds and ORDERS as follows:

20 (1) The proper respondent in a petition for habeas corpus is the superintendent of the  
21 facility where petitioner is being detained. Therefore, the Court directs the Clerk to substitute  
22 respondent Jeri Boe with Ron Haynes, the superintendent of the Clallam Bay Corrections Center.  
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1 (2) The Clerk shall arrange for service by email:upon respondent and upon the  
2 Attorney General of the State of Washington, copies of the petition, all documents in support  
3 thereof, and this Order. The Clerk shall also direct a copy of this Order and of the Court's *pro se*  
4 instruction sheet to petitioner.

5 (3) Within ***forty-five (45) days*** after such service, respondent(s) shall file and serve an  
6 answer in accordance with Rule 5 of the Rules Governing Section 2254 Cases in United States  
7 District Courts. As part of such answer, respondent(s) shall state whether petitioner has  
8 exhausted available state remedies and whether an evidentiary hearing is necessary.  
9 Respondent(s) shall not file a dispositive motion in place of an answer without first showing  
10 cause as to why an answer is inadequate. Respondent(s) shall file the answer with the Clerk of  
11 the Court and serve a copy of the answer on petitioner.

12 (4) The answer will be treated in accordance with LCR 7. Accordingly, on the face  
13 of the answer, respondent(s) shall note it for consideration on the fourth Friday after filing.  
14 Petitioner may file and serve a response not later than the Monday immediately preceding the  
15 Friday designated for consideration of the matter, and respondent(s) may file and serve a reply  
16 not later than the Friday designated for consideration of the matter.

17 (5) Filing by Parties, Generally

18 All attorneys admitted to practice before this Court are required to file documents  
19 electronically via the Court's CM/ECF system. Petitioner shall file all documents electronically.  
20 All filings must indicate in the upper right hand corner the name of the magistrate judge to whom  
21 the document is directed.  
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1 Any document filed with the Court must be accompanied by proof that it has been served  
2 upon all parties that have entered a notice of appearance in the underlying matter. Petitioner  
3 shall indicate the date the document is submitted for e-filing as the date of service.

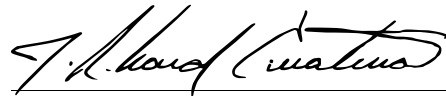
4 (6) Motions

5 Any request for court action shall be set forth in a motion, properly filed and served.  
6 Pursuant to LCR 7(b), any argument being offered in support of a motion shall be submitted as a  
7 part of the motion itself and not in a separate document. The motion shall include in its caption  
8 (immediately below the title of the motion) a designation of the date the motion is to be noted for  
9 consideration on the Court's motion calendar.

10 (7) Direct Communications with District Judge or Magistrate Judge

11 No direct communication is to take place with the District Judge or Magistrate Judge with  
12 regard to this case. All relevant information and papers are to be directed to the Clerk.

13 Dated this 22nd day of December, 2017.

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15 J. Richard Creatura  
16 United States Magistrate Judge  
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